

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF MISSOURI  
EASTERN DIVISION

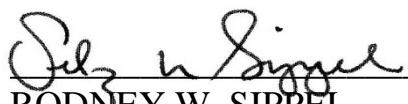
ALLIANCE GLAZING )  
TECHNOLOGIES, INC., )  
                       )  
Plaintiff,           )  
                       )  
vs.                   )              Case No. 4:19 CV 1889 RWS  
                       )  
WHEATON & SPRAGUE )  
ENGINEERING, INC.,    )  
                       )  
Defendant.           )

**MEMORANDUM AND ORDER**

This matter is before the Court on Wheaton's motion to compel. Having considered the respective parties' positions in light of the relevant authorities, the motion to compel will be granted as IWR and AGT's arguments relate to admissibility not discoverability, and they have not met their burden of demonstrating that the common interest privilege should apply to the documents sought here. As "subject to and without waiving" objections are disfavored, the motion to overrule those objections is granted, and IWR and AGT shall provide complete answers without these "non-objection objections" within twenty days of the date of this Memorandum and Order.

Accordingly,

**IT IS HEREBY ORDERED** that the motion to compel [133] is granted, and IWR and AGT shall provide the responsive documents and amended responses to discovery without “subject to” objections within twenty (20) days of the date of this Memorandum and Order.

  
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RODNEY W. SIPPEL  
UNITED STATES DISTRICT JUDGE

Dated this 5th day of January, 2021.